

PATENT

Our Docket: P-LJ 5137

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

AUG 16 2002

TECH CENTER 1800/2900

In re Application of )  
John C. Reed )  
U.S. Application No. 10/030,497 )  
Confirmation No. 2174 )  
U.S. Filing Date: June 27, 2002 )  
International Application No.: PCT/US00/18758 )  
International Filing Date: July 7, 2000 )  
For: A METHOD FOR DETERMINING THE PROGNOSIS )  
OF CANCER PATIENTS BY MEASURING LEVELS )  
OF BAG EXPRESSION )

Commissioner for Patents  
Washington, D.C. 20231

I hereby certify that this correspondence is being deposited  
with the United States Postal Service as first class mail in  
an envelope addressed to: Commissioner for Patents,  
Washington, D.C. 20231 on August 1, 2002.

By: John T. Murphy  
John T. Murphy, Reg. No. 50,583

August 1, 2002  
Date of Signature

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.97, enclosed are  
references relating to the above-identified application. For the  
convenience of the Examiner, these references are listed on the  
attached Form PTO-1449, and a copy of each is enclosed herewith.

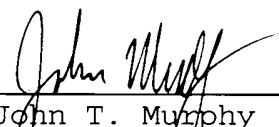
It is respectfully requested that these references be  
considered in the examination of this application and that their  
consideration be made of written record in the application file.

Inventor: John C. Reed  
U.S. Application No.: 10/030,497  
U.S. Filing Date: June 27, 2002  
Page 2


No fee is deemed necessary in connection with the filing of this Information Disclosure Statement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-0370.

Respectfully submitted,

Date: August 1, 2002

  
\_\_\_\_\_  
John T. Murphy  
Registration No.: 50,583  
Telephone: (858) 535-9001  
Facsimile: (858) 535-8949

Campbell & Flores LLP  
4370 La Jolla Village Drive  
7<sup>th</sup> Floor  
San Diego, California 92122  
USPTO CUSTOMER NO. 23601

Form PTO 1449 US Department of Commerce Patent and Trademark Office 	ATTY DOCKET NO: P-LJ 5137	U.S. Application Serial No: 10/030,497  Confirmation No.: 2174  International Application No.: PCT/US00/18758
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	APPLICANT: John C. Reed  International Filing Date: July 7, 2000  Priority Date: July 9, 1999	


RECEIVED  
AUG 1 8 2000  
TECH CENTER 1600-2900

### U.S. PATENT DOCUMENTS

EXAM. INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
		4,968,603	11-6-90	Slamon et al.	435	6	12-31-86
		5,447,843	9-5-95	McGuire et al.	435	6	11-25-92
		5,550,019	8-27-96	John C. Reed	435	6	5-26-93
		5,641,866	6-24-97	Reed et al.	530	387.7	6-5-95
		5,665,539	9-9-97	Sano et al.	435	6	10-4-93
		5,693,465	12-2-97	Manning et al.	435	6	9-22-94
		5,862,304	1-19-99	Ravdin et al.	395	22	10-31-90
		5,882,864	3-16-99	An et al.	435	6	7-31-96

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO 1449 US Department of Commerce Patent and Trademark Office 	ATTY DOCKET NO: P-LJ 5137	U.S. Application Serial No.: 10/030,497  Confirmation No.: 2174  International Application No.: PCT/US00/18758
	APPLICANT: John C. Reed	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	International Filing Date: July 7, 2000	Priority Date: July 9, 1999

RECEIVED  
AUG 16 2000  
TECH CENTER 1600:2900

## FOREIGN PATENT DOCUMENTS


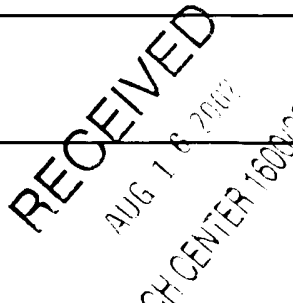
EXAM. INITIALS		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION (YES/NO)
		95/13292	5/18/95	WO			
		97/07387 ✓	2/27/97	WO			
		97/48982 ✓	12/24/97	WO			
		00/14106 ✓	3/16/00	WO			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages)

	Ballinger et al., "Identification of CHIP, a Novel Tetratricopeptide Repeat-Containing Protein That Interacts with Heat Shock Proteins and Negatively Regulates Chaperone Functions," <u>Mol. Cell Biology</u> , 19:4535-4545 (1999). ✓
	Elledge et al., "bcl-2, p53, and Response to Tamoxifen in Estrogen Receptor-Positive Metastatic Breast Cancer: A Southwest Oncology Group Study," <u>J. Clin. Oncol.</u> , 15:1916-1922 (1997).

EXAMINER	DATE CONSIDERED
----------	-----------------


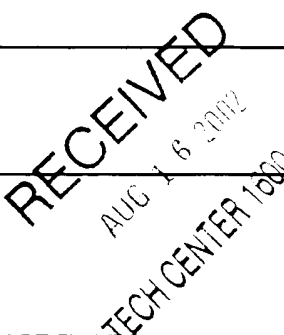
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO 1449 US Department of Commerce Patent and Trademark Office 	ATTY DOCKET NO: P-LJ 5137	U.S. Application Serial No.: 10/030,497  Confirmation No.: 2174  International Application No.: PCT/US00/18758
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	APPLICANT: John C. Reed  International Filing Date: July 7, 2000	Priority Date: July 9, 1999  <div style="text-align: right;">  </div>

	✓	Fisher et al., "Significance of ipsilateral breast tumor recurrence after lumpectomy," <u>Lancet</u> , 338:327-331 (1991).
	✓	Höhfeld and Jentsch, "GrpE-like regulation of the Hsc70 chaperone by the anti-apoptotic protein BAG-1," <u>EMBO J.</u> , 16:6209-6216 (1997).
	✓	King et al., "Comparison of Immunocytochemical and Steroid-binding Assays for Estrogen Receptor in Human Breast Tumors," <u>Cancer Res.</u> , 45:293-304 (1985).
	✓	Krajewski et al., "Prognostic significance of apoptosis regulators in breast cancer," <u>Endocrine Related Cancer</u> , 6:29-40 (1999).
	✓	Markman, M., <u>Basic Cancer Medicine</u> , W.B. Saunders Co., Philadelphia, Pennsylvania (1997).
	✓	Slamon et al., "Studies of the HER-2/neu Proto-oncogene in Human Breast and Ovarian Cancer," <u>Science</u> , 244:707-12 (1989).
	✓	Takaoka et al., "Anti-cell death activity promotes pulmonary metastasis of melanoma cells," <u>Oncogene</u> , 14:2971-2977 (1997).
	✓	Takayama et al., "BAG-1 modulates the chaperone activity of Hsp70/Hsc70," <u>EMBO J.</u> , 16:4887-4896 (1997).

EXAMINER	DATE CONSIDERED
----------	-----------------


EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO 1449 US Department of Commerce Patent and Trademark Office 	ATTY DOCKET NO: P-LJ 5137	U.S. Application Serial No.: 10/030,497  Confirmation No.: 2174  International Application No.: PCT/US00/18758
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	APPLICANT: John C. Reed  International Filing Date: July 7, 2000	Priority Date: July 9, 1999  <div style="text-align: right;">  </div>

	✓	Takayama et al., "Expression and Location of Hsp70/Hsc-Binding Anti-Apoptotic Protein BAG-1 and Its Variants in Normal Tissues and Tumor Cell Lines," <u>Cancer Res.</u> , 58:3116-3131 (1998).
	✓	Takayama et al., "An Evolutionarily Conserved Family of Hsp70/Hsc70 Molecular Chaperone Regulators," <u>J. Biol. Chem.</u> , 274:781-786 (1999).
	✓	Tang et al., "Expression of BAG-1 in Invasive Breast Carcinomas," <u>J. Clin. Oncol.</u> , 17:1710-1719 (1999).
	✓	Yang et al., "Overexpression of Anti-apoptotic Gene BAG-1 in Human Cervical Cancer," <u>Exp. Cell Res.</u> , 247:200-207 (1999).
	✓	Yang et al., "Differential Expression of Antiapoptotic Gene BAG-1 in Human Breast Normal and Cancer Cell Lines and Tissues," <u>Clinical Cancer Research</u> , 5:1816-1822 (1999).
	✓	Yang et al., "Enhanced Expression of Anti-Apoptotic Proteins in Human Papillomavirus-Immortalized and Cigarette Smoke Condensate-Transformed Human Endocervical cells: Correlation With Resistance to Apoptosis Induced by DNA Damage," <u>Mol. Carcinog.</u> , 22:95-101 (1998).
	✓	Yawata et al., "Prolonged cell survival enhances peritoneal dissemination of gastric cancer cells," <u>Oncogene</u> , 16:2681-2686 (1998).

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO 1449 US Department of Commerce Patent and Trademark Office 	ATTY DOCKET NO: P-LJ 5137	U.S. Application Serial No.: 10/030,497  Confirmation No.: 2174  International Application No.: PCT/US00/18758
	APPLICANT: John C. Reed	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	International Filing Date: July 7, 2000	Priority Date: July 9, 1999  <div style="position: absolute; transform: rotate(-45deg); opacity: 0.5; font-weight: bold; font-size: 1.2em;">             RECEIVED              AUG 1 2002              TECH CENTER 1600 2902           </div>

	Zapata et al., "Expression of multiple apoptosis-regulatory genes in human breast cancer cell lines and primary tumors," <u>Breast Cancer Research and Treatment</u> , 47:129-140 (1998).
--	---

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.